



CANNON BUILDING
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STATE OF DELAWARE
DEPARTMENT OF STATE

DIVISION OF PROFESSIONAL REGULATION

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PUBLIC MEETING MINUTES:	Board of Speech Pathology, Audiology and Hearing Aid Dispenser
MEETING DATE AND TIME:	Wednesday, June 11, 2008 at 2:00 p.m.
PLACE:	861 Silver Lake Boulevard, Dover, Delaware Conference Room B second floor of the Cannon Building
MINUTES APPROVED	July 9, 2008

MEMBERS PRESENT

Dr. Michael Michelli, Professional Member, President
Carol Guilbert, Public Member, Secretary
Regina Bilton, Professional Member
Illene Courtright, Professional Member
Mary Ann Connolly-Gaskin, Professional Member
Dr. Cynthia Parker, Professional Member
George Christensen, Public Member

DIVISION STAFF/DEPUTY ATTORNEY GENERAL PRESENT

James Collins, Division Director
Kay Warren, Deputy Director
Eileen Kelly, Deputy Attorney General
Shauna Slaughter, Administrative Specialist II
Paul Eihinger, Investigator

ALSO PRESENT

Juli LaBadia, Court Reporter, Wilcox and Fetzer
Patty Murphy, Deputy Attorney General
Joseph DeSimone
Adam Balick
Christine Virion
Raymond Guilbert

MEMBER ABSENT

Maisha Britt, Public Member

CALL TO ORDER

Dr. Michelli called the meeting to order at 2:08 p.m.

Executive Session

Dr. Michelli made a motion, seconded by Mr. Christensen, to enter into executive session for discussion of preliminary matters. Motion unanimously carried.

Ms. Guilbert made a motion, seconded by Mr. Christensen, to come out of executive session. Motion unanimously carried.

UNFINISHED BUSINESS

Update on Speech Bill

Mr. Collins provided the Board with an update on the status of the Bill, and advised them of concerns that have been raised about the Bill. Mr. Collins also advised that the Board of Speech Pathologists, Audiologists, and Hearing Aid Dispensers has been selected for Sunset review. This may cause the Bill to be stalled, but Ms. Kelly verified that there was no dire need to have the Bill passed, because the statute will allow an audiology applicant with a doctorate degree to be licensed being that it is a higher degree than what is listed in the statute, and the doctorate degree program covers all of the current educational requirements. Also, the changes being made in the Bill may be able to be done as part of the Sunset review process. Additional information regarding the Sunset review will be forthcoming.

REVIEW OF MINUTES

The Board reviewed the minutes from the May 14, 2008 meeting. Ms. Guilbert made a motion, seconded by Mr. Christensen, to approve the minutes as presented. Motion unanimously carried.

UNFINISHED BUSINESS

Formal Hearing on Complaint No. 30-02-06

The Board held a formal hearing to consider a complaint in which Licensed Hearing Aid Dispenser Joseph DeSimone is the respondent. Present for the hearing were Ms. Patty Murphy, Mr. Joseph DeSimone, and Mr. Adam Balick, Mr. DeSimone's counsel. Ms. Kelly stated the reason for the hearing and then turned it over to Dr. Michelli for board introductions. Dr. Parker recused herself. Verbatim testimony was recorded by the court reporter. Mr. Balick made a motion that the Board reconsider the Consent Agreement that they previously rejected. Mr. Balick presented his case on behalf of Mr. DeSimone. The following documents were marked as applicant exhibits: Exhibit 1 - Advertisement with an expiration date of March 27, 2008; Exhibit 2 - Advertisement with an expiration date of May 16, 2008; Exhibit 3 - Concord Mall sales report from the timeframe that the advertisements in question were run; Exhibit 4 - Purchase Agreement; Exhibit 5 - Four customer testimonials; Exhibit 6 - Letter from New Castle County Government. Ms. Murphy recommended that the Board accept the Consent Agreement. Ms. Guilbert made a motion, seconded by Dr. Michelli, to go off the record for deliberations. Motion unanimously carried. The Board went back on the record. Dr. Michelli made a motion, seconded by Mr. Christensen, to deny Mr. Balick's motion to accept the Consent Agreement and have a full hearing instead. Motion carried with Ms. Courtright and Ms. Guilbert opposing.

Ms. Murphy presented the State's case. The following items were marked as State Exhibit A: Copy of the complaint; Copies of Advertisements; Copy of board rule 9.3.1.8; Copy of section 3715 of the board's statute. Mr. Balick had Mr. DeSimone sworn and presented his case. Mr. DeSimone answered questions asked by the Board. Ms. Murphy presented closing remarks. Mr. Balick also presented closing remarks. Ms. Guilbert made a motion, seconded by Ms. Connolly-Gaskin, to go

off the record for deliberations. Motion unanimously carried. Ms. Guilbert made a motion, seconded by Mr. Christensen, to go back on the record. Motion unanimously carried. Ms. Guilbert made a motion, seconded by Mr. Christensen, that Mr. DeSimone was found in violation of board rule 9.3.1.8, and that the sanction imposed will be a letter of reprimand and two \$500.00 fines, one for each violation. Motion unanimously carried.

Review Strategic Plan

No items were added to the Strategic Plan at this time. Dr. Michelli made a motion, seconded by Mr. Christensen, to leave Strategic Planning as a standing agenda item. Motion unanimously carried.

Review Previously Tabled Request for Extension of Temporary Hearing Aid Dispenser License – Vanessa Dennis

The Board reviewed the previously tabled request for temporary license extension from Vanessa Dennis. The Board had requested a letter of explanation regarding the extenuating circumstances which caused Ms. Dennis to request an extension. A detailed explanation was received. Ms. Guilbert made a motion, seconded by Mr. Christensen, to approve the extension for one year. Motion unanimously carried.

NEW BUSINESS

Review Permanent Speech Pathologist Applications

The Board reviewed Beth Giacoma's application for a permanent Speech Pathologist license. Dr. Michelli made a motion, seconded by Ms. Courtright, to approve the application. Motion unanimously carried.

The Board reviewed Ross Stonefield's application for a permanent Speech Pathologist license. Dr. Michelli made a motion, seconded by Ms. Courtright, to approve the application. Motion unanimously carried.

The Board reviewed Barbara Ferris' application for a permanent Speech Pathologist license. Dr. Michelli made a motion, seconded by Ms. Courtright, to approve the application. Motion unanimously carried.

The Board reviewed Bethany Turse's application for a permanent Speech Pathologist license. Dr. Michelli made a motion, seconded by Ms. Courtright, to approve the application. Motion unanimously carried.

Review Temporary Speech Pathologist Applications

The Board reviewed Christine Virion's application for a temporary Speech Pathologist license. Ms. Bilton made a motion, seconded by Ms. Courtright, to approve the application contingent upon receipt of an official transcript or letter from her college or university, which provides the date her degree was conferred. Motion unanimously carried.

The Board reviewed Leia Luther's application for a temporary Speech Pathologist license. Dr. Michelli made a motion, seconded by Ms. Bilton, to approve the application. Motion unanimously carried.

The Board reviewed Erin Brackin's application for a temporary Speech Pathologist license. Dr. Michelli made a motion, seconded by Ms. Bilton, to approve the application. Motion unanimously carried.

The Board reviewed Kristi Ritacco's application for a temporary Speech Pathologist license. Dr. Michelli made a motion, seconded by Ms. Bilton, to approve the application. Motion unanimously carried.

The Board reviewed Tricia Kolar's application for a temporary Speech Pathologist license. Dr. Michelli made a motion, seconded by Ms. Bilton, to approve the application. Motion unanimously carried.

The Board reviewed Kelly Carney's application for a temporary Speech Pathologist license. Dr. Michelli made a motion, seconded by Ms. Bilton, to approve the application. Motion unanimously carried.

The Board reviewed Salina Lewandowski's application for a temporary Speech Pathologist license. Dr. Michelli made a motion, seconded by Ms. Bilton, to approve the application. Motion unanimously carried.

Review Request for Extension of Temporary Speech Pathologist License

The Board reviewed a request for an extension of Stephanie Ruben's temporary Speech Pathologist license. Dr. Michelli made a motion, seconded by Dr. Parker, to approve the request for an extension for one year. Motion unanimously carried.

The Board reviewed a request for an extension of Marisa Turbish Wengryn's temporary Speech Pathologist license. Dr. Michelli made a motion, seconded by Dr. Parker, to approve the request for an extension for one year. Motion unanimously carried.

Review of Continuing Education Activities

Ms. Courtright made a motion, seconded by Ms. Connolly-Gaskin, to approve the following continuing education for the hour(s) and category(s) shown:

Sponsor: Interton
Activity: Appraise 1.2 Training
Contact Hours: 1 hour
Category: CS

Sponsor: Christiana Care Rehab Services
Activity: Managing Spasticity in the Neuro Patient
Contact Hours: 1.5 hours
Category: CS

Licensee: Mary Udovich
Sponsor: ASHA Professional Development Web/Telephone Seminar
Activity: Dysphagia Intervention in Schools
Contact Hours: 2 hours
Category: CS

Sponsor: Interton
Activity: Avio 3

Contact Hours: 1 hour
Category: CS

Motion unanimously carried.

Other Business before the Board

A brief discussion took place regarding advertising issues and what action the Board could take when advertisements were not done properly. Ms. Kelly advised that advertising issues would have to be addressed through the normal complaint process.

Correspondence

There was no correspondence.

Public Comment

Christine Virion thanked the Board for reviewing her application, and advised the Board of an issue with the school advisory board not being able to complete the thesis reviews in a timely manner. She advised that her thesis is complete and waiting for review. The Board thanked Ms. Virion for her comments.

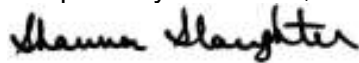
Next Scheduled Meeting

The next meeting will be held on Wednesday, July 9, 2008 at 2:00, in Conference Room B, second floor of the Cannon Building, 861 Silver Lake Boulevard, Dover, Delaware.

Adjournment

There being no further business, Dr. Michelli made a motion, seconded by Ms. Guilbert, to adjourn the meeting. Motion unanimously carried. The meeting adjourned at 4:11 p.m.

Respectfully submitted,



Shauna Slaughter
Administrative Specialist II